

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 54747

Tamiko C. Knight

5224 Cromarty Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 9, 2009, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-115, 310, 312; 13-4-201 (b)(d); International Building Code (IBC) section 115; Baltimore County Building Code (BCBC) section 115; 35-5-302 (b)(1)(6); 3-6-401, 402, failure to comply with Hearing Officer's Order dated February 25, 2009, failure to provide and use an adequate amount of trash cans with tightly fitted lids for the storage of refuse between collections, failure to repair broken windows and doors, failure to secure property, failure to remove all junk, trash and debris from property on residential property zoned DR 10.5 known as 5224 Cromarty Road, 21229.

On April 13, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Charles Krick issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,000.00 (three thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. Multiple Correction Notices and Citations have been issued for this property in 2008 and 2009 for trash, junk and debris, and improperly stored garbage. This Citation was issued on April 13, 2009 for improperly stored garbage and for failure to repair broken windows and doors.

B. Photographs in the file show open and broken windows and a broken, unsecured basement door. The house is not secure from human and animal encroachment. Notes in the file indicate that the house is in foreclosure proceedings, but the agent for the Bank has reported that the Bank does not yet have control of the property.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the County may enter the property at any time after the date of this Final Order to board or otherwise secure all windows and doors, and may enter the property to remove junk, trash and debris.

IT IS FURTHER ORDERED that if Respondent or the successor owner of the property corrects the violations before June 30, 2009, the civil penalty will be RESCINDED.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty and any expenses incurred by Baltimore County as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 18TH day of June 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

MZF/jaf